THE CITY OF ASHEVILLE

STAFF REPORT

City Council Meeting Date: January 11, 2022

Subject: Conditional Zoning Request for property located at 990 Tunnel Rd.

Staff Resource(s): Todd Okolichany, AICP, LEED AP ND, Planning & Urban Design Director; Shannon Tuch, RLA, Principal Planner

Action Requested: Conditionally zone a portion of a single parcel located at 990 Tunnel Rd. from Residential Multi-family, Low Density (RM6) to Office II - Conditional Zone (O2-CZ).

Project Location and Contacts:

- The project site consists of a 0.99 acre portion of a larger 1.39 acre parcel located at 990 Tunnel Rd. (PIN 9668-07-8758)
- Owner: James Mills & John Laney Jr.

Summary of Petition:

- This petition includes a single two-story professional office building to be used as a dental clinic, along with surface parking, sidewalk, landscaping and related site improvements.
- The property is currently zoned Residential Multi-family, Low Density (RM-6) and is designated “Residential Neighborhood” on the city’s Future Land Use Map (FLUM).
- A conditional rezoning of the project area, as well as a change in the FLUM, is required in order to allow for an office use.
- The subject property is proposed to be subdivided with Lot 2 to remain residentially zoned and reserved for future residential development.
- The rezoning and commercial development will be limited to Lot 1 which will meet all dimensional requirements for the proposed O2 zoning.
- The maximum height of buildings in the O2 district is 40’. The proposed building will not exceed 40’ in height.
- The maximum structure size of a single building in the O2 zoning district is 16,000 square feet (for a multi-storied building). The proposed building will not exceed 14,000 square feet.
- 49% of the site will include impervious surfaces, falling under the maximum 80% allowed.
- 40 surface parking spaces are proposed, meeting the minimum parking requirement of 1 space/350 square feet of office space.
- Two handicap accessible spaces are required and provided.
- The project area has road frontage on both Tunnel Rd. and Campground Rd. but access will be limited to a single driveway on Tunnel Rd.
- The nearest bus stop is located approximately 330 feet to the east of the project entrance on Tunnel Rd. near the intersection of Tunnel Road and Maple Springs Road.
- Applicant proposes to add a transit shelter to the existing bus stop in front of the subject property.
- Landscape requirements apply, including street tree, street buffer, parking lot, and property line buffer (Type A) landscaping.
- The proposed development is less than one acre and therefore, open space is not required.
- An existing stream runs along the eastern property boundary and is protected with a 30’ aquatic stream buffer.
- The project is classified as “suburban” under the tree canopy preservation standards with a classification of “Class C” with 0-40% existing canopy coverage.
- The Tree Canopy Preservation requirement for this project is 20%.
- The project is seeking several modifications including:
    - Retain the existing 5’ back of curb sidewalk on Tunnel Rd.
    - Relocate a portion of the required landscape buffer on the east side of the property (adjacent the stream buffer) away from the property line.

Consistency with the Comprehensive Plan:

- This project meets a number of key city goals in the Living Asheville Comprehensive Plan including:

- **Promote General Health and Wellness** - by accommodating modern small-scale medical facilities … within every neighborhood (pp. 250-252).
- **Encourage Responsible Growth** - by prioritizing development within designated growth areas (pp. 130-132, 320).
- **Facilitate Real Estate Development that Maximizes Public Benefit** - by supporting the development/redevelopment of sites that are underutilized (p. 200-201).

Compatibility Analysis:

- The subject property is located directly on Tunnel Rd. (US Hwy 70) and the proposed building is oriented towards this primary corridor with parking in front of the building, consistent with other highway corridor development.
- The subject property is somewhat isolated and is separated from:
  - A large (18+ acre) school (Bell Elementary) to the east by a 40' right-of-way for Maple Springs Rd.;
  - The backyards of residential properties to the south by a highway right-of-way for Tunnel Rd. (US 70) that ranges from 90-175' wide;
  - Residential properties to the north by a 40' wide right-of-way for Campground Rd. and a change in topography where the subject property sits 10-35' lower than the residences; and,
  - Residences to the west by reserving a portion of the subject property that will remain residentially zoned that will help buffer the existing residences.
- The UDO states that the purpose of the Office II zoning district includes serving as, " . . . a transition between residential areas and commercial areas".
- In regards to potential land use conflicts, the proposed medical office is more compatible with the residential uses surrounding the project area, while consistent with the non-residential corridor development.
- The proposed building is small in scale and consistent with both mid-sized multi-family and businesses on the corridor.

Council Goal(s):

- The council goal of *A Well-Planned and Livable Community* is most applicable.

Committee(s):

- Technical Review Committee (TRC) - November 15, 2021 - approved with conditions.
- Planning & Zoning Commission (PZC) - December 1, 2021 - approved, 6:1. It was recommended by some commissioners that the existing bus stop be improved with a transit shelter but was not made a condition of approval.

Staff Recommendation:

- Staff recommends approval of the project, for the reasons stated above.

Suggested Motion:

- I move to approve the conditional zoning request for the property located at 990 Tunnel Rd. from Residential Multi-family, Low Density (RM-6) to Office II Conditional Zone (O2-CZ) with an amendment to the Future Land Use Map of the *Living Asheville Comprehensive Plan* from Residential Neighborhood to Traditional Corridor and find that the request is reasonable, is in the public interest, is consistent with the city's comprehensive plan or other adopted plans, and meets the development needs of the community in that the request: 1) promotes health and wellness by supporting medical facilities in proximity to neighborhoods; 2) encourages responsible growth by prioritizing development in areas targeted for growth; and, 3) supports the development of an underutilized site.

Attachment(s)

(1) Exhibit A - Existing Zoning Map
(2) Exhibit A1 Map - Proposed Zoning Map

(3) Exhibit B - Aerial Map
(4) Exhibit C - Existing Future Land Use Map
(5) Exhibit C1 - Proposed Future Land Use Map
(6) Exhibit D - Site Plans
(7) Exhibit E - Project Conditions
(8) Ordinance
(9) PZC Recommendation
(10) PZC Action Minutes
(11) TRC Report